

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
*(Briefly describe the property to be searched
 or identify the person by name and address)*
 Information associated with Target Telephones 1 and
 2 (TT1 & TT2), for investigation of 18 USC Section
 2314

Case No. MJ23-093

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

Target Telephone (TT1) associated with phone number (208)509-8598 and Target Telephone (TT2) associated with phone number 786-403-3168, further described in Attachments A1 and A2, incorporated herein by reference.

located in the _____ District of _____ New Jersey _____, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

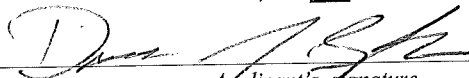
| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------|--|
| 18 USC Section 2314 | Interstate Transportation of Stolen Property |

The application is based on these facts:

☒ See Affidavit of David Spitzer, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

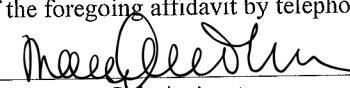
Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.


 Applicant's signature

David Spitzer, Special Agent HSI
 Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 02/28/2023


 Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, United States Magistrate Judge
 Printed name and title

ATTACHMENT A-1**Property to Be Searched and Subscriber/Subject Information**

1. Records and information associated with the cellular phone assigned call number:

a. (208) 509-8598 (hereinafter “Target Telephone 1” or “**TT1**”). **TT1** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310240225402804, with subscriber “copy_1 1478424248,” at 1478424248, Boise, ID 83706, with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT1** is described herein and in Attachment A1, and the location information to be seized is described herein and in Attachment B.

The subscriber/customer of the Target Cell Phone is unknown. The identity of the person who is the subject of the criminal investigation is David SUBIL.

2. The Target Cell Phone **TT1**.

3. The property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

ATTACHMENT B

Particular Things to be Seized

This warrant is issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure and the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713. As such, this warrant authorizes the collection of subscriber records, cell site data, and cell site triangulation information regarding the Target Cell Phones. **This warrant does not authorize the disclosure or seizure of any tangible property or the content of any wire or electronic communication, as defined in 18 U.S.C. § 2510(8).** Accordingly, the Court finds reasonable necessity for the seizure of the data and records identified below. *See* 18 U.S.C. § 3103a(b)(2).

I. Section I: Information to be Disclosed by T-Mobile

1. **Subscriber/Account Information.** The following non-content information about the customers or subscribers associated with the Account listed in Attachment A1:

- a. Names (including subscriber names, user names, and screen names);
- b. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- c. Local and long distance telephone connection records from **December 27, 2022, through February 27, 2023;**
- d. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (IP) addresses) associated with those sessions from **December 27, 2022, through February 27, 2023;**
- e. Length of service (including start date) and types of service utilized;
- f. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (ESN), Mobile Electronic Identity Numbers (MEIN), Mobile Equipment Identifiers (MEID), Mobile Identification Numbers (MIN), Subscriber Identity Modules (SIM), Mobile Subscriber Integrated Services Digital Network Numbers (MSISDN), International Mobile Subscriber Identity Identifiers (IMSI), or International Mobile Equipment Identities (IMEI);

g. Other subscriber numbers or identities (including the registration Internet Protocol (IP) address); and

h. Means and source of payment for such service (including any credit card or bank account number) and billing records.

2. Historical Cell Site Location Information.

a. All records and other information (**not including the contents of communications**) relating to wire and electronic communications sent or received by the Account from **December 27, 2022, through February 27, 2023**, including:

i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses);

ii. historical cell site information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received. This information is to be provided irrespective of the application, name, or report utilized by T-Mobile. Accordingly, this information includes the following data sets to the extent that they are collected by T-Mobile: RTT, PLU, PCMD, LOCDBOR, EVDO, True Call, ALULTE, and Timing Advance.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone(s).

II. Section II: Information to Be Seized by the Government

1. All information described above in Section I that constitutes evidence of violations of 18 U.S.C. § 2314, Interstate Transport of Stolen Property involving Christopher DELGADO, Juan SANCHEZ, David SUBIL, and/or previously unidentified subject(s).

2. All non-content subscriber/account information provided pursuant to 18 U.S.C. § 2703(c).

3. All non-content dialing, routing, addressing, and signaling information provided pursuant to 18 U.S.C. §§ 3121-3127.

1 4. Location Information regarding the Target Cell Phone(s).

2 Law enforcement personnel (who may include, in addition to law enforcement
3 officers and agents, attorneys for the government, attorney support staff, agency personnel
4 assisting the government in this investigation, and outside technical experts under
5 government control) are authorized to review the records produced by T-Mobile in order
6 to locate the things particularly described in this Warrant.

ATTACHMENT A-2

Property to Be Searched and Subscriber/Subject Information

1. Records and information associated with the cellular phone assigned call number:

a. (786) 403-3168 (hereinafter “**Target Telephone 2**” or “**TT2**”). **TT2** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310260552952910, with subscriber “David SUBIL,” at 6801 SW 83rd Place, Miami, FL 33143 with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT2** is described herein and in Attachment A2, and the location information to be seized is described herein and in Attachment B.

2. The Target Cell Phone TT2.

The property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

ATTACHMENT B

Particular Things to be Seized

This warrant is issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure and the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713. As such, this warrant authorizes the collection of subscriber records, cell site data, and cell site triangulation information regarding the Target Cell Phones. **This warrant does not authorize the disclosure or seizure of any tangible property or the content of any wire or electronic communication, as defined in 18 U.S.C. § 2510(8).** Accordingly, the Court finds reasonable necessity for the seizure of the data and records identified below. *See* 18 U.S.C. § 3103a(b)(2).

I. Section I: Information to be Disclosed by T-Mobile

1. **Subscriber/Account Information.** The following non-content information about the customers or subscribers associated with the Account listed in Attachment A1:

- a. Names (including subscriber names, user names, and screen names);
- b. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- c. Local and long distance telephone connection records from **December 27, 2022, through February 27, 2023;**
- d. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (IP) addresses) associated with those sessions from **December 27, 2022, through February 27, 2023;**
- e. Length of service (including start date) and types of service utilized;
- f. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (ESN), Mobile Electronic Identity Numbers (MEIN), Mobile Equipment Identifiers (MEID), Mobile Identification Numbers (MIN), Subscriber Identity Modules (SIM), Mobile Subscriber Integrated Services Digital Network Numbers (MSISDN), International Mobile Subscriber Identity Identifiers (IMSI), or International Mobile Equipment Identities (IMEI);

g. Other subscriber numbers or identities (including the registration Internet Protocol (IP) address); and

h. Means and source of payment for such service (including any credit card or bank account number) and billing records.

2. Historical Cell Site Location Information.

a. All records and other information (**not including the contents of communications**) relating to wire and electronic communications sent or received by the Account from **December 27, 2022, through February 27, 2023**, including:

i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses);

ii. historical cell site information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received. This information is to be provided irrespective of the application, name, or report utilized by T-Mobile. Accordingly, this information includes the following data sets to the extent that they are collected by T-Mobile: RTT, PLU, PCMD, LOCDBOR, EVDO, True Call, ALULTE, and Timing Advance.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone(s).

II. Section II: Information to Be Seized by the Government

1. All information described above in Section I that constitutes evidence of violations of 18 U.S.C. § 2314, Interstate Transport of Stolen Property involving Christopher DELGADO, Juan SANCHEZ, David SUBIL, and/or previously unidentified subject(s).

2. All non-content subscriber/account information provided pursuant to 18 U.S.C. § 2703(c).

3. All non-content dialing, routing, addressing, and signaling information provided pursuant to 18 U.S.C. §§ 3121-3127.

1 4. Location Information regarding the Target Cell Phone(s).

2 Law enforcement personnel (who may include, in addition to law enforcement
3 officers and agents, attorneys for the government, attorney support staff, agency personnel
4 assisting the government in this investigation, and outside technical experts under
5 government control) are authorized to review the records produced by T-Mobile in order
6 to locate the things particularly described in this Warrant.

STATE OF WASHINGTON)
)
COUNTY OF KING) SS

I, David Spitzer, Special Agent of Homeland Security Investigations (HSI), being first duly sworn, upon oath, depose and state the following:

1. I make this affidavit in support of an application for search warrants under Federal Rule of Criminal Procedure 41 and 18 U.S.C. §§ 2703(c)(1)(A) for information about the location of the following cellular telephone(s) (hereinafter, the “**Target Telephone(s)**”):

a. (208) 509-8598 (hereinafter “**Target Telephone 1**” or “**TT1**”). **TT1** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310240225402804, with subscriber “copy_1 1478424248,” at 1478424248, Boise, ID 83706, with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT1** is described herein and in Attachment A1, and the location information to be seized is described herein and in Attachment B.

The subscriber/customer of the Target Cell Phone is unknown. The identity of the person who is the subject of criminal investigation is David SUBIL.

b. (786) 403-3168 (hereinafter “**Target Telephone 2**” or “**TT2**”). **TT2** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310260552952910, with subscriber “David SUBIL,” at 6801 SW 83rd Place, Miami, FL 33143, with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT2** is described herein and in Attachment A2, and the location information to be seized is described herein and in Attachment B.

3. The Court has jurisdiction to issue the proposed warrants under the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713, because it is a “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is the Western District of Washington, a district court of the United States that has jurisdiction over the offense being investigated, see 18 U.S.C. § 2711(3)(A)(i).

AGENT BACKGROUND

5. I am a Special Agent with United States Homeland Security Investigations (HSI) and have been so employed since January 2020. In February 2021, I graduated from the Criminal Investigator Training Program and the Homeland Security Investigations Special Agent Training Program at the Federal Law Enforcement Training Centers (FLETC) in Glynco, Georgia. While at FLETC, I received nearly 1000 hours of training in such areas including, but not limited to criminal law, human smuggling/trafficking investigations, and criminal procedures. Prior to being employed with HSI, I was employed as an agent with the United States Border Patrol (USBP) for eleven years and was assigned to the Sector Intelligence Units in El Centro, CA, and Blaine, WA. In this capacity, I was responsible for conducting criminal investigations regarding the violation of immigration laws of the United States. In 2009, I graduated from the United States Border Patrol Academy at the FLETC in Artesia, New Mexico.

1 My education includes a Bachelor of Arts degree in Political Science and a Bachelor of
2 Arts degree in Criminology from the University of Florida.

3 6. I am assigned to HSI's Border Security Enforcement Team (BEST) and Air
4 and Marine group in Blaine, WA (hereinafter "HSI Blaine"), which focuses on the
5 enforcement of immigration and narcotics laws, including human trafficking and
6 smuggling, as well as the investigation of transnational gangs. I am authorized to
7 investigate and enforce violations of federal criminal statutes, including those in Titles 8,
8 18, and 21 of the United States Code.

9 7. The information in this affidavit is based upon, among other things, the
10 investigation that I have conducted in this case, my training and experience, information
11 from other agents and witnesses, my conversations with other law enforcement officers
12 who have engaged in various aspects of this investigation, and my review of reports
13 written by other law enforcement officers involved in this investigation. Because this
14 Affidavit is submitted for the limited purpose of securing a search warrant for
15 information associated with certain cellular telephones, I have not included each and
16 every fact known to me concerning this investigation. I have set forth only the facts that I
17 believe are necessary to establish probable cause to support the issuance of the requested
18 warrant. When the statements of others are set forth in this affidavit, they are set forth in
19 substance and in part. Times listed in the affidavit are approximate.

20 8. Based on the facts set forth in this affidavit, there is probable cause to
21 believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. §§ 2314,
22 Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles
23 used in counterfeiting have been committed by Christopher DELGADO, Juan
24 SANCHEZ, David SUBIL and others known and unknown. There is also probable cause
25 to believe that the location information described in Attachment B will constitute
26 evidence of these criminal violations and will lead to the identification of individuals who
27 are engaged in the commission of these offenses.

RELEVANT LAW AND ADDITIONAL KNOWLEDGE OF AFFIANT

9. This investigation concerns violations, by Chris DELGADO, Juan SANCHEZ, David SUBIL and others known and unknown of the following:

a. Title 18 United States Code (18 U.S.C.) Section 2314, Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting.

10. I know from training and experience that 18 U.S.C. Section 2314 makes it illegal to an individual to have: 1) unlawfully transported or caused to be transported in interstate or foreign commerce; (2) goods, wares, merchandise, securities, or money having a value of \$5,000 or more which are stolen, converted or taken by fraud; and (3) knowing the same to be stolen, converted or taken by fraud.

STATEMENT OF PROBABLE CAUSE

A. Initial Information

11. On January 24, 2023, Homeland Security Investigations (HSI) Blaine received a report from the Stanwood Police Department. It was reported an individual, purportedly from Safeway, had stolen hundreds of thousands of dollars' worth of Russian King Crab and Opilio Crab.

12. On January 23, 2023, Snohomish County Sherriff's Office (SCSO) Deputy Sennen Klassen responded to a fraud complaint at North Star Cold Storage, located in Stanwood, Washington. North Star Cold Storage processes, ships, and stores frozen products for other businesses throughout the United States. The Vice President of North Star Cold Storage, Linda Boggs, reported one of her customers, Alexander Gorelik who owns Arctic Seafoods based in San Francisco, California, was the victim of fraud. Gorelik authorized the release of shipments of Russian King Crab from North Star Cold Storage on January 18, 2023, and January 20, 2023, to someone claiming to represent Safeway, a large chain of grocery stores throughout the United States.

13. Deputy Klassen contacted Gorelik and learned he was contacted by individuals purporting to represent Safeway. These individuals used the following email

1 following addresses: chrisdelgado@safewaycorporate.com and
2 jenniferzavala@safewaycorporate.com. We believe these email accounts are owned and
3 operated by David SUBIL. Gorelik received documents to open an account with what he
4 thought was Albertson's (Safeway's parent company) and received a vendor number. On
5 January 3, 2023, Gorelik received an email from jenniferzavala@safewaycorporate.com
6 with the subject line, "Vendor #". The e-mail from the "Invoice and Billing Supervisor"
7 went on to read, "989425 Please reference this on all orders."

8 14. Gorelik later received a purchase order via email for \$432,000.00 worth of
9 Russian king crab. Gorelik received a second purchase order via email for king crab from
10 the same "Safeway" buyer for \$296,388.00. Both purchase orders were sent from
11 Christopher Delgado (aka SUBIL) at the email, notifications@safeway2.odoo.com. In
12 looking at their website, Odoo provides business management software tools, including
13 billing and accounting. At the bottom of the purchase order emails, generated through
14 Odoo, is the email, chrisdelgado@safewaycorporate.com, the website,
15 www.safewaycorporate.com, and the telephone number, 800-674-3635. After receiving
16 the purchase orders and believing they were legitimately from Safeway, Gorelik
17 authorized the release of the product from North Star Cold Storage in Stanwood for both
18 purchases.

19 15. After the second order, Gorelik realized he had over charged the buyer and
20 attempted to contact the buyer by phone but was unable to reach him. Gorelik informed
21 me that he attempted to call every phone number provided to him by Delgado and his
22 associates, including a phone number Gorelik described as Delgado's (aka SUBIL)
23 cellular phone number, (208) 509-9598, **TT1**. Gorelik stated he also tried the various toll-
24 free numbers provided in the email signatures of chrisdelgado@safewaycorporate.com
25 (888-712-1983 Ext 730), bridgetwood@safewaycorporate.com (800-674-3635 Ext 732),
26 and jenniferzavala@safewaycorporate.com (800-674-3635 Ext 710) to no avail. As a
27 result, Gorelik called the Director of Seafood from Albertson's, Anthony Snow, and
28 discovered the people he had been communicating with did not work at Safeway or

1 Albertson's. Gorelik was informed by Anthony Snow the purchase orders were fake, and
2 that Arctic Seafood was not set up as a vendor for Safeway or Albertson's.

3 **B. Safewaycorporate.com and Associated Contact Information**

4 16. The domain safewaycorporate.com, used by DELGADO, SUBIL and
5 others known and unknown, is not an actual Safeway e-mail or web server. Based on an
6 open-source search, the domain "safewaycoporate.com" was registered to "Tucows
7 Domains, Inc." on December 27, 2022¹, the day before the first communication with
8 Arctic Seafoods and its owner, Alex Gorelik. Even though the domain was registered
9 with Tucows Domains, based on another open-source search, the hosting provider is
10 Google LLC, but the hosting server is SiteGround². On February 14, 2023, Google
11 responded a preservation letter that they did not have responsive information related to
12 the domain and email addresses related to this fraud. SiteGround has not yet responded
13 to the preservation order. "Safewaycorporate.com" is set to automatically redirect to the
14 actual Albertson's homepage.

15 17. The real safeway.com domain, associated with one of the largest food and
16 drug retailers in the United States, has been registered since 1995 and is administered by
17 "Network Solutions LLC," and is Albertsons.com.

18 18. The 800-674-3635 and 888-712-1983 phone numbers listed in the e-mails
19 from Delgado (aka SUBIL) and his associates do not appear to be real and are not listed
20 on Safeway's website. A web search for those phone numbers produced no results
21 associated with Safeway. Safeway's website lists their corporate phone number as 877-
22 723-3929.

23 19. The e-mail addresses are also in the incorrect format for Safeway or
24 Albertson's. Deputy Klassen and I have communicated with several actual employees
25

26 ¹ Based on a search of Whois.com. According to their website, a Whois domain lookup allows you to trace the
27 ownership and tenure of a domain name. Similar to how all houses are registered with a governing authority, all
28 domain name registries maintain a record of information about every domain name purchased through them, along
with who owns it, and the date till which it has been purchased.

² https://securitytrails.com/list/apex_domain/safewaycorporate.com (last visited February 12, 2023)

1 from both companies and their e-mails are formatted
 2 “firstname.lastname@company.com,” unlike the emails sent from Delgado (aka SUBIL)
 3 and his associates.

4 20. The Director of Seafood from Albertson’s informed Gorelik the purchase
 5 orders were not valid or created with the software that Safeway or Albertson’s uses.

6 **C. Fake Purchase Orders Created by Odoo**

7 21. On February 10, 2023, Deputy Klassen received a response from Odoo’s
 8 Vice President of Sales and Customer Account Management, Brett Hydeman, in response
 9 to an inquiry regarding the account used by Delgado (aka SUBIL) to send the purchase
 10 orders to Arctic Seafoods. Mr. Hydeman stated that a “free trial” account was created on
 11 December 29, 2022, which is the day after communication began between “Safeway
 12 Corporate” and Arctic Seafoods. The last time Delgado (aka SUBIL) logged into his
 13 account was February 1, 2023, which corresponds to the date that the last purchase order
 14 was sent to Arctic Seafoods. The email address used to create the Odoo account was
 15 chrisdelgado@safewaycorporate.com and the name provided was Christopher Delgado
 16 (aka SUBIL). Odoo was able to provide the last internet protocol (IP) address used. An
 17 open-source search of this IP address reveals that it originates in Council Bluffs, Iowa
 18 and belongs to Google LLC. Mr. Hydeman was unsure if that IP address was related to
 19 their servers, or the IP address used by Delgado (aka SUBIL). Based on my training and
 20 experience, it is my belief that due to the sophistication of this scheme, it is likely that
 21 Delgado (aka SUBIL) would use a virtual private network (VPN)³ to disguise his
 22 location and identity.

26
 27 ³ According to Forbes, VPN software protects your information by masking your device’s IP address. The software
 28 encrypts your data and routes it through secure networks to servers in faraway states or other countries. A VPN
 hides your online identity, allowing you to browse the internet anonymously.
 (<https://www.forbes.com/advisor/business/software/why-use-a-vpn/>)

D. First and Second Pick-up from North Star Cold Storage

22. On January 23, 2023, North Star Cold Storage provided Deputy Klassen with bills of lading from the transactions involving Arctic Seafoods for January 18, 2023, and January 20, 2023. The bill of lading from January 18, 2023, listed 300 cases of 6/9 count red king crab and 300 cases of 4/7 count king crab. The second bill of lading was dated January 20, 2023, and listed 360 cases of king crab legs and claws, 40 cases of Opilio snow crab and 240 cases of 6/9 count red king crab legs and claws.

23. North Star Cold Storage also provided Deputy Klassen with the trucker sign-in log from both days. The log from January 18, 2023, listed the driver's name as "Juan Sanchez" and the trucking company as "Jorge Trucking." According to the log, the truck arrived at about 7:08 a.m. and left at about 8:42 a.m. The log from January 20, 2023, also listed Juan Sanchez from Jorge Trucking. The truck arrived at about 7:00 a.m. and left at approximately 9:00 a.m.

24. On January 23, 2023, Deputy Klassen reviewed footage from the North Star Cold Storage facility from January 18, 2023, and January 20, 2023.⁴ Video from January 18, 2023, showed a white truck with two axles and a refrigeration unit mounted above the cab arriving to pick up the merchandise. According to Deputy Klassen's review of the footage, the truck appeared to be at least 26 feet long, had a "Ryder" logo on the side, and a reflective stripe running the entire length of the box.

⁴ Based on Deputy Klassen's review of the surveillance footage and speaking with employees at the storage facility, it is apparent that the time stamp from the video is not accurate.



25. On February 8, 2023, I sent a subpoena to Ryder for information regarding rental information for the trucks used on January 18, 2023, and January 20, 2023, to transport the stolen goods. On February 22, 2023, I received the Ryder rental truck agreement and global positioning records. The truck was rented by Global Supply Systems, Inc. with the listed contact as David SUBIL. The Ryder truck, rented by SUBIL picked up the stolen shipments from North Star on January 18th and 20th of 2023. SUBIL provided Ryder with TT2 as his contact, the same number used to sell the stolen shipments in Florida. Ryder records also provided the driver information, which lists Juan Manuel SANCHEZ-Abreu with an associated Florida driver's license. This is the same driver that was identified picking the third shipment on January 25, 2023, as discussed in the paragraphs below.

E. Third Pick-Up from North Star Cold Storage

26. On January 23, 2023, Gorelik advised Deputy Klassen DELGADO (aka SUBIL) contacted him from TT1 and was attempting to purchase a third truckload of crab. This call occurred from TT1 to Gorelik based upon my review of phone tolls from TT1, received from T-Mobile, as well as Gorelik informing me that TT1 is the number that appeared on the screen of the phone when this call occurred. On January 24, 2023, Gorelik

1 sent Deputy Klassen the third purchase order for 6,250 pounds of 4/7 legs and claws and
2 6,250 pounds of 6/9 king crab, totaling \$450,000.00. This purchase order was sent to
3 Gorelik from Delgado (aka SUBIL) at notifications@safeway2.odoo.com, but listed the
4 chrisdelgado@safewaycorporate.com email account, as well as the
5 www.safewaycorporate.com web domain at the bottom of the email. According to Gorelik,
6 the purchase order had the incorrect weight, and another purchase order was sent to Gorelik
7 approximately five minutes later with the correct weight (totaling 12,000 pounds instead
8 of 12,500 due to the size of the pallets) and a total purchase order amount of \$432,000.00.
9 This purchase order was sent from and contained the same information as the incorrect
10 purchase order described above. Gorelik worked with North Star Cold Storage to put
11 product of lesser value in boxes labeled as the product ordered. Gorelik then advised
12 Delgado (aka SUBIL) the product was released. Soon thereafter, North Star Cold Storage
13 received a phone call from Delgado (aka SUBIL) to schedule the pickup, which was
14 scheduled for 8:00 a.m. on January 25, 2023. Deputy Klassen arranged for the use of
15 unmarked vehicles to follow the truck from the North Star Cold Storage on January 25,
16 2023, after the product was loaded into the truck. On the morning of January 25, 2023,
17 Deputy Klassen and members of the Violent Offender Task Force, operating in unmarked
18 vehicles, set up around the North Star Cold Storage warehouse. Deputy Klassen contacted
19 an employee at the facility, identified as A.L., and he advised Deputy Klassen he would
20 handle the transaction like any other by bringing the driver the sign-in sheet and then
21 loading the truck.

22 27. On the morning of January 25, 2023, Deputy Klassen and members of the
23 Violent Offender Task Force, operating in unmarked vehicles, set up around the North Star
24 Cold Storage warehouse. Deputy Klassen contacted an employee at the facility, identified
25 as A.L., and he advised Deputy Klassen he would handle the transaction like any other by
26 bringing the driver the sign-in sheet and then loading the truck.

27 28. At approximately 7:00 a.m., Deputy Klassen observed a white tractor trailer
28 bearing Florida license plate number JD29UD and registered to Juan Manuel SANCHEZ-

1 Abreu, parked in the loading dock of North Star Cold Storage. At approximately 7:40 a.m.,
2 Deputy Klassen observed a male wearing a black hooded jacket exit the white tractor trailer
3 and walk back to open the doors on the back of the trailer. Deputy Klassen observed the
4 unknown subject and noted he was close in stature and appeared to look like the driver he
5 had previously seen in surveillance footage from the pickup on January 20, 2023.

6 29. A.L. texted Deputy Klassen an image of the trucker sign-in log. Deputy
7 Klassen observed that the driver's name and signature box were filled out with scribbles.
8 The signature scribble bore a close resemblance to the signature from the prior two events.
9 The trucking company name was listed as "Jorge Trucking." The cell phone number was
10 clearly written as "360-798-4436." A.L. also texted Deputy Klassen a photo of the license
11 plate as the tractor trailer departed the facility. The trailer plate was a Florida plate,
12 "QA84KI," however the "4" was black while the other letters was blue. The "4" appeared
13 to be a house number affixed to the plate. Deputy Klassen noted the Department of
14 Transportation (DOT) number, "3684599," and company name, "DBH Transport LLC,"
15 on the side of the truck.



1 30. Deputy Klassen and the unmarked units followed the tractor trailer as it
2 traveled southbound on Pioneer Highway, eastbound on State Route 532, then southbound
3 on Interstate 5. It exited on State Route 530 and initially turned into a gas station on the
4 west side of Interstate 5, before crossing over Interstate 5 and going to the Pilot truck stop,
5 located at 2430 State Route 532 in Arlington, WA, on the east side of Interstate 5. A
6 passenger entered the cab, and the vehicle was refueled. Around 9:00 a.m., the truck exited
7 the fuel stop and resumed driving southbound on Interstate 5. Deputy Klassen noted the
8 “4” on the license plate had fallen off, and the license plate now read QA81KI.

9 31. Deputy Klassen contacted Trooper Eberle with Washington State Patrol’s
10 (WSP) Commercial Vehicle Enforcement Division. Trooper Eberle advised Deputy
11 Klassen that he looked up the truck’s DOT number and it was not valid. Trooper Eberle
12 advised that the State Patrol could open the weigh station south of the City of Everett,
13 Washington, and perform a commercial vehicle inspection. The tractor trailer entered the
14 weigh station and Trooper Eberle and Trooper Lemmon performed an inspection.

15 32. The driver was identified by Florida Driver’s License as A.C.C. and the
16 passenger was identified by Florida Driver’s License as Juan Manuel SANCHEZ-Abreu.

17 33. WSP Troopers were advised by the occupants they were going to Portland
18 to deliver the load to Albertson’s. Trooper Eberle texted Deputy Klassen an image of the
19 bill of lading given to him by SANCHEZ. It should be noted the bill of lading that
20 SANCHEZ presented looked nothing like the two previous bills of lading that Deputy
21 Klassen reviewed from North Star Cold Storage. The date on the top of the bill of lading
22 SANCHEZ presented was January 18, 2023⁵, the trucking company was listed as Jorge
23 Trucking, and the destination was listed as “Albertson’s/Safeway at 17505 NE San
24 Rafael, Warehouse 97230”. The shipper was listed as Arctic Seafood with the street filled
25 in as North Star Cold Storage in Stanwood, WA. The items loaded in the trailer were
26
27

28 ⁵ The date of this trip was January 25, 2023. See image of fraudulent bill of lading presented to Trooper Eberle below this paragraph.

described as 12 units of frozen crab, weighing 1250. Handwritten diagonally across the document is "Call Chris" with TT1 written directly underneath, which is the same number that DELGADO provided to both North Star Cold Storage and Arctic Seafoods. The seal number "0609777" was handwritten in different handwriting near the bottom of the document.

STRAIGHT BILL OF LADING - SHORT FORM
 NOTICE: Shippers of hazardous materials must enter 24-hour emergency response telephone number under "Emergency Response Phone Number".
 Original—Not Negotiable

Date: 1/18/23 Bill of Lading No. 20230145
 Shipper No. 14802
 Carrier No. 01223

TO: Consignee ALBERTSON'S/SAFEWA (Name of Carrier)
 Street 17505 NE SANDHILL
 Destination WAIC HOUSE
 Route: Zip Code 97230
 Vehicle No. 145

FROM: Shipper Arctic Seafood
 Street Northstar Cold Storage
 Origin Stanwood WA
 Zip Code

| No. Shipping Units | +HM | Kind of Packaging, Description of Articles, Special Marks and Exceptions | Weight (Subject to Correction)* | Rate or Class | CHARGES |
|--------------------|-----|--|---------------------------------|---------------|---------|
| 12 | | Frozen Crab | 1250 | | \$2,500 |

CALL CHRIS 206-509-8598
 SEAL 0609777

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading state whether weight is "carrier's or shipper's weight".

Note—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____.

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse to the consignor, the consignor shall sign the following statement:
 The carrier shall not make delivery of this shipment without payment of freight and all other charges.

(Signature of Consignor)

REMIT C.O.D. TO: ADDRESS

C.O.D. Amt. \$ C.O.D. FEE PREPAID ☐ COLLECT ☐ \$

TOTAL CHARGES: \$ 2500

FREIGHT CHARGES
☐ Freight prepaid
☐ Collect

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Uniform Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment or (2) in the applicable motor carrier classification or tariff, if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Mark with "BQ" if appropriate to designate Hazardous Materials as defined in the U.S. Department of Transportation Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials on Bills of Lading per 172.201(a)(1) (a) of Title 49 Code of Federal Regulations. Also when shipping hazardous materials, the shipper's certification statement, prescribed in section 172.204(a) of the Federal Regulations, as indicated on the Bill of Lading does apply, unless a specific exception from the requirement is provided in the Regulation for a particular material.

The format and content of hazardous item list is the responsibility of individual company interpretation of requirements as described in 49 Code of Federal Regulations 172.201 (a)(1) (a) of Title 49 Code of Federal Regulations. Such description consists of the following per Sections 172.201 (Hazardous Material Table) and Sections 172.202 and 172.203: Proper shipping name, hazardous class, UN identification number, packing group, and subsidiary class(es).

Note: Liability limitation for loss or damage in this shipment may be applicable. See 49 United States Code, Sections 14706(c)(1)(A) and (B).

SHIPPER PER 91
 CARRIER PER

This is to certify that the above named materials are properly classified, packaged, marked, and labeled, and are in proper condition for transportation according to the U.S. Department of Transportation.

Carrier acknowledges receipt of packages and any required placards. Carrier certifies emergency response information was made available and/or carrier has the U.S. Department of Transportation emergency response guidebook or equivalent documentation in the vehicle.

34. Deputy KLASSEN requested the current bill of lading from North Star Cold Storage, which had just been provided to the driver of the truck earlier in the morning. When Deputy Klassen received the image of the document, he noted it matched the other two bills of lading in format. The authentic bill of lading listed 12,000 pounds of product, almost ten times as much listed on the bill of lading presented to WSP Troopers.

35. Based on this information, I believe the bill of lading SANCHEZ presented to WSP Troopers was forged and that SANCHEZ knowingly presented the forged document as they had been given the legitimate bill of lading before leaving North Star Cold Storage. Based on the photo of SANCHEZ on his Florida driver's license, Deputy Klassen informed me that SANCHEZ closely resembles the driver who also picked up the product from North Star Cold Storage on January 20, 2023.

36. The tractor trailer left the weigh station at approximately 10:45 a.m. and continued southbound on Interstate 5. A short time later, Deputy Klassen and other law enforcement officers initiated a vehicle stop of the tractor trailer near Tacoma, Washington.

1 37. Deputy Klassen approached the driver's side and contacted SANCHEZ.
2 Deputy Klassen instructed SANCHEZ to turn the vehicle off and step out, which he did.
3 Deputy Klassen frisked him for weapons and attempted to read SANCHEZ his Miranda
4 Warnings verbatim from the department issued card, but SANCHEZ stated he didn't
5 speak English and needed a translator. Due to the traffic, it was difficult to hear so
6 Deputy Klassen placed SANCHEZ in the back of a patrol vehicle. Deputy Klassen called
7 the language line and, through an interpreter, read SANCHEZ's Miranda Warnings
8 verbatim from his department issued card. SANCHEZ stated he understood his rights and
9 that he did not wish to speak with Deputy Klassen. SANCHEZ was placed back into the
10 rear of the patrol vehicle.

11 38. Deputy Klassen then spoke with the passenger, A.C., in another patrol
12 vehicle. Deputy Klassen was sitting in the driver's seat, A.C. was sitting in the passenger
13 seat, and a deputy with a bodycam was recording from the backseat. Deputy Klassen
14 called the language line for A.C., as well, and, through an interpreter read the Miranda
15 Warnings verbatim from his department issued card. A.C. stated he understood his rights
16 and he was willing to speak with investigators without a lawyer present.

17 39. A.C. stated he and SANCHEZ both live in Florida, that he was out of
18 money, and badly needed work. A.C. said he had worked for SANCHEZ before, and that
19 SANCHEZ set up the transaction. A.C. said he used SANCHEZ's name at the cold
20 storage facility because J.S.A was the owner of the trucking company. A.C. stated he and
21 SANCHEZ had come from Florida on Friday to do this job, but he wasn't sure about the
22 date. A.C. stated he was delivering the product to Portland and didn't know anything
23 about the paperwork SANCHEZ had given the trooper. A.C. showed Deputy Klassen a
24 WhatsApp thread that included SANCHEZ's name at the top. A.C. scrolled through it,
25 showing Deputy Klassen the length of their communication. Deputy Klassen didn't see
26 any recent communication and didn't see if they had any communications regarding their
27 arrangement for this delivery, A.C. stated there was not.

1 40. A.C. and SANCHEZ consented to a search of the van. Deputy Klassen
2 removed the seal from the back of the trailer, reading “0609777” as listed on the
3 fraudulent bill of lading but was not the same as the one, “0008788,” listed on the
4 legitimate bill of lading.

5 41. Deputy Klassen entered the back of the trailer and observed the pallets
6 North Star Cold Storage loaded. Deputy Klassen was unable to move the pallets due to
7 weight and could only inspect the closest two. They bore pallet “license plates” identical
8 to two of the boards photographed and sent to Deputy Klassen by A.L., bearing the lot
9 number 42435-N and boards 4 and 6. The product label showed Arctic Seafood King
10 Crab, packed by North Star.

11 42. Deputy Klassen entered the cab of the vehicle, located, and seized multiple
12 cell phones, a tablet, and GPS device, believing all could provide valuable evidence of
13 this crime and that seizing them could preserve evidence while applying for a search
14 warrant. Deputy Klassen searched for both the real and fake bills of lading but could not
15 find either. There were numerous other bills of lading and trucking documents in manila
16 envelopes, but these documents were not associated to the documents related to this date,
17 so Deputy Klassen did not seize them.

18 43. Deputy Klassen compared his in-person contact with SANCHEZ, on this
19 date, with the subject observed in the security footage from the theft that occurred on
20 January 20, 2023. Based on his comparison of the two individuals, Deputy Klassen
21 believes that it was SANCHEZ on both occasions based upon observed physical
22 characteristics – to include height, weight approximate age, dark-skin complexion, and a
23 distinct bulbous nose. Additionally, the individual on the surveillance footage wore a
24 hooded dark-colored jacket with a tan-colored pocket on the chest, right shoulder, and
25 stomach area. During the in-person encounter with SANCHEZ, Deputy Klassen observed
26 that SANCHEZ was wearing a dark-colored jacket with the hood pulled up and tan-colored
27 pockets in the same locations as on the jacket as previously observed on the surveillance
28 footage.

1 44. Based on his investigation, Deputy Klassen developed probable cause that
2 SANCHEZ committed the crime of forgery and knowingly possessed a fraudulent bill of
3 lading, which he used to avoid detection while transporting a load of fraudulently
4 obtained product.

5 45. Deputy Klassen advised SANCHEZ he was under arrest and placed him
6 in handcuffs. SANCHEZ informed Deputy Klassen that he was willing to release the
7 truck to A.C. Deputy Klassen advised A.C. very clearly the product in the back of the
8 trailer was not actually crab and was unsellable. SANCHEZ was transported and booked
9 into the Snohomish County Jail. A few hours later SANCHEZ was bailed out of the
10 Snohomish County Jail, and it is unknown where SANCHEZ. traveled to after he was
11 released from police custody.

12 46. On January 30, 2023, the Stanwood Police Department received a police
13 report from the Sioux City, Iowa Police Department regarding a stolen tractor trailer
14 reported on September 6, 2022. On that date, SANCHEZ reported that his tractor trailer
15 had been stolen from the side of Interstate 29. This tractor trailer is the same vehicle, as
16 identified by Florida license plate, that arrived at North Star Cold Storage on January 25,
17 2023, to pick up the third shipment. In the police report, SANCHEZ claimed he had a flat
18 tire, walked to the nearest truck stop to get help, and when he returned found that his truck
19 and trailer had been stolen. SANCHEZ informed police he had the keys and had locked the
20 vehicle, so he had no idea how the thief was able to take the truck. According to the report,
21 SANCHEZ owned a business called Chris Trucking Road Services. It should be noted at
22 the time of this theft SANCHEZ was hauling a load of Arctic Seafoods crab from
23 Chesapeake, Virginia, to Seattle, Washington. Gorelik informed me that Arctic Seafoods
24 was just moving product from one cold storage facility to another.

25 47. The Sioux City detective that investigated this crime noted that SANCHEZ
26 stated he had a cell phone at the time of the vehicle breakdown but decided to walk a total
27 of 45 minutes to get help instead of summoning help by using his cellular phone. After an
28 initial conversation, the detective attempted to reach SANCHEZ and the number that

1 initially worked for SANCHEZ was no longer in service. The detective also learned that
2 the companies involved in this also were unable to reach SANCHEZ ever again. The
3 detective also noted that route of travel did not make sense for a westbound trip from
4 Virginia to Washington. At the time of the theft, SANCHEZ was traveling southbound
5 through Sioux City, Iowa.

6 48. The detective concluded, through many interviews of people involved, that
7 SANCHEZ was likely involved in the disappearance of his tractor trailer. At this time,
8 throughout various locations in the Midwest, there were a significant number of vehicle
9 thefts mostly involving tractor trailers full of meat. Due to the lack of evidence and an
10 inability to reach SANCHEZ again, the Sioux City Police Department closed their case.
11 Based on my discussions with other law enforcement officers involved in this case, as well
12 as the evidence reviewed, it is my belief that SANCHEZ was probably involved in the theft
13 of the merchandise inside his truck and likely sold the product for a considerable profit. It
14 seems to be no coincidence that SANCHEZ and/or a coconspirator approached the same
15 company, Arctic Seafoods, using a different name (Christopher DELGADO aka SUBIL),
16 with the aforementioned scheme several months after being involved in the theft of their
17 product.

18 49. On February 23, 2023, I reviewed the phone tolls for **TT2**. Following the
19 arrest of SANCHEZ on January 25, 2023, at approximately 4:15 p.m., there was an
20 outgoing call placed by **TT2** to (425) 388-3395. An online search of that phone number
21 revealed that it is associated to the Snohomish County Jail, where SANCHEZ was being
22 held. On January 26, 2023, at approximately 6:26 a.m., there was another outgoing call
23 placed by **TT2** to the same number that is associated to the Snohomish County Jail. The
24 next phone call placed by **TT2**, on January 26, 2023, at approximately 6:26 a.m. was to
25 (425) 388-7050. An online search of that phone number revealed it is associated to the
26 evidence control unit at the Snohomish County Sheriff's Office. It should be noted that
27 multiple digital devices were seized from SANCHEZ after his arrest on January 25, 2023.
28

F. Fourth Pickup from North Star Cold Storage

50. On January 27, 2023, Detective Steven Martin with the Stanwood Police Department informed me that Delgado (aka SUBIL) contacted Gorelik once again to facilitate another transaction between the business attempting to impersonate Safeway and Arctic Seafoods. Since the communication is still occurring after the last shipment, it is my belief these shipments may be stored in a warehouse without being opened right away.

51. On January 30, 2023, Delgado (aka SUBIL) once again contacted Gorelik via **TT1** to set up the next purchase. As stated above, this call occurred from **TT1** to Gorelik based upon my review of phone tolls from **TT1**, received from T-Mobile, as well as Gorelik informing me that **TT1** is the number that appeared on the screen of the phone when this call occurred. At the behest of law enforcement, Gorelik informed Delgado (aka SUBIL) he would need to push the shipment to Thursday. Delgado (aka SUBIL) said he would call back on Wednesday to finalize the purchase to pick up the merchandise on February 2, 2023. A few minutes later, Delgado (aka SUBIL) called Gorelik, via **TT1**, and asked him to send the invoice for the previous shipment on January 25, 2023. Again, this call occurred based on my review of phone tolls received from T-Mobile for **TT1**. Due to this ongoing investigation, law enforcement agents advised Gorelik to send the invoice to Delgado (aka SUBIL). Arctic Seafoods has not received payment for any of the previous three shipments.

52. On February 1, 2023, Delgado (aka SUBIL) sent a purchase order to Arctic Seafoods in the amount of \$420,000 for a fourth shipment. As described earlier in this affidavit, the purchase order emails are sent from Delgado (aka SUBIL) at notifications@safeway2.odoo.com, but list the chrisdelgado@safewaycorporate.com email account, as well as the www.safewaycorporate.com web domain at the bottom of the email. A copy of the purchase order that is attached to the email is shown below:



Safeway
250 E. Parkcenter Blvd
Boise ID 83706
United States

Arctic Seafoods
1341 17th Avenue
San Francisco CA 94122
United States
☎ +1 415-287-0127

Purchase Order #P2023000158049

Purchase Representative: Christopher Delgado
Order Date: 02/01/2023 16:41:08

| DESCRIPTION | TAXES | DATE REQ. | QTY | UNIT PRICE | AMOUNT |
|---|-------|---------------------|----------|------------|---------------|
| [9568565] Russian King Crab 1/20 9/12 L&C | | 02/02/2023 16:38:52 | 3,000.00 | 33.00 | \$ 99,000.00 |
| [9568565] Russian King Crab 1/20 6/9 L&C | | 02/02/2023 16:38:52 | 6,000.00 | 35.00 | \$ 210,000.00 |
| [LC47-120] 1/20 RKC Leg & Claw 4-7 | | 02/01/2023 16:38:52 | 3,000.00 | 37.00 | \$ 111,000.00 |
| Total | | | | | \$ 420,000.00 |

888-712-1983 Ext 730
chrisdelgado@safewaycorporate.com
https://www.safewaycorporate.com

Safeway
250 E. Parkcenter Blvd
Boise ID 83706
United States

Ingredients for life

1

53. The information contained in the above purchase order is not associated to the legitimate Safeway company. Based on the open-source search of the associated address, it returns to the Albertson's corporate office headquarters, which is Safeway's parent company. The phone number does not come back associated with any Albertson's entity. For reference, Detective Martin received a copy of a legitimate Safeway purchase order from Scott Heggan, the Meat, Seafood, and Deli Procurement Manager from the Seattle Division of Albertsons Companies, which is shown below.

Safeway Inc.
A Division of Albertsons Companies, Inc.
P.O. BOX 29093 PHOENIX, AZ. USA 85038

PURCHASE ORDER
PO# AND ITEMIZED BILL OF LADING
REQD. TENDER SORTED & SEGREGATED
NO BACK ORDERS

DATE
PO ORDER 10 12 17
SHIP/PICK-UP 10 13 17
ARRIVAL/DUE 10 13 17

PURCHASE ORDER NO.
143646

SHIP TO: AUBURN FRESH MEAT
3520 PACIFIC AVENUE SOUTH
AUBURN, WA
98047

VENDOR: [REDACTED]

SHIP WITH P.O. PAGE 1

CASH DISCOUNT NET 12 DAYS
FREIGHT CHARGE (FC)
TRADE DISCOUNT
F.O.B. POINT DSTNTH-PPD

BACKHAUL
FREIGHT ALLOWANCE (FA)
SWELL ALLOWANCE (SA)
OTHER ALLOWANCE

TWO OUT OF TWO SUNDAY TRUCKS

CONTACT NAME RYAN LENZY
PHONE NUMBER (425) 742-9757
FAX#(360) 336-3092

VENDOR NUMBER 007132 2721
FACILITY 3343
NAME OF CARRIER TRUCK
SHIPPING POINT WA-STANWOOD

| Qty | Unit | UPC/Vendor Prod | Pack | Size | Description | OI | DB | Ref | Item Code | List Cost | Pallet |
|-----|------|-----------------|------|------|---------------------------------|----|----|-----|-----------|-----------|---------|
| 880 | CA | 002-02494-00000 | 1.00 | LB | 80% LEAN GRND BEEF 20% FAT BULK | | | | 88100169 | | 006X005 |

PALLETS 29 WEIGHT 52800 CASES 880 CUBE 1713 SPECIAL INSTRUCTIONS FST PST BY ZU - KRISTA BAKER (253) 299-5340

Safeway Inc.
- THIS PURCHASE ORDER IS GOVERNED BY AND SUBJECT TO THE TERMS OF THE CONTINUING COMMODITY GUARANTEE AND RIDERSHIP AGREEMENT, SAFEWAY FORM NO 1080.
- TO SCHEDULE AN APPOINTMENT PLEASE LOG ONTO ONE NETWORK. IF YOU NEED ASSISTANCE SCHEDULING OR DIRECTIONS TO SAFEWAY'S DISTRIBUTION CENTERS, PLEASE CALL 823-869-5430.

54. On February 2, 2023, at approximately 4:08 p.m. Linda Boggs from North Star Cold Storage informed Delgado (aka SUBIL), using **TT1**, called to schedule a pickup for February 3, 2023, at approximately 1:00pm. North Star informed me that they observed **TT1** on their caller identification, and I confirmed the phone call using phone tolls received from T-Mobile.

55. On February 2, 2023, at 4:21 p.m., Jennifer Zavala (aka SUBIL) (jenniferzavala@safewaycorporate.com) sent an email to Arctic Seafoods advising, "We have you scheduled for payment invoice #230120-1 on February 21, 2023." Previously, on January 23, 2023, Zavala (aka SUBIL) sent an email to Arctic Seafoods stating the first invoice (invoice #230118-2) will be paid on February 17, 2023. As of February 22, 2023, there has been no payment received for either shipment. Based on evidence discovered through this investigation, law enforcement officers believe all of the names, phone numbers, and email addresses are fictitious, and no payments will be made.

1 56. On February 3, 2023, Delgado (aka SUBIL), using **TT1**, cancelled the
2 pickup, stating there were truck problems. **TT1** was, once again, observed by North Star
3 on their caller identification.

4 57. On February 3, 2023, I sent a subpoena to T-Mobile for subscriber
5 information and phone tolls related to Delgado's (aka SUBIL) number, (208) 509-8598.
6 T-Mobile was able to send the phone tolls; however, they informed me that the service is
7 with Tracfone Wireless. The T-Mobile representative informed me that Tracfone uses T-
8 Mobile towers, so they were able to provide call data, but Tracfone holds the subscriber
9 data. On February 6, 2023, I sent a subpoena to Tracfone Wireless for subscriber
10 information regarding this phone number. On February 22, 2023, Tracfone Wireless
11 responded that the subscriber was "copy_1 1478424248," with an associated address of
12 1478424248, Boise, ID 83706. Based on my experience, individuals involved in criminal
13 activity often used prepaid phones to conceal their identity and their illicit activities.

14 58. On February 7, 2023, the owner of Arctic Seafoods, Alex Gorelik, was
15 contacted by Delgado (aka SUBIL) via email from chrisdelgado@safewaycorporate.com.
16 Delgado (aka SUBIL) stated, "Hello. I'm just checking in to see how the production
17 looks this week. Give me a heads up if you can." Gorelik responded he would have a
18 better idea the following month and Delgado (aka SUBIL) responded, "Oh, ok. What
19 type of inventory do you have available at the moment?" Based on the information
20 available during this investigation, it is my belief that Delgado (aka SUBIL) is attempting
21 to get more merchandise from Arctic Seafoods, while continuing to misrepresent himself
22 as a representative of Safeway/Albertsons. I further believe he intends on not paying for
23 the merchandise.

24 59. On February 7, 2023, at approximately 4:15 p.m. North Star Cold Storage
25 informed me that Delgado (aka SUBIL), using **TT1**, scheduled a pickup of the fourth
26 shipment for February 8, 2023, at approximately 11:00 a.m. The purchase order related
27 to the shipment had been previously sent on February 1, 2023 and is found on page 19 of
28 this affidavit. **TT1** was, once again, observed by North Star on their caller identification.

1 **F. Stolen Property from First and Second Pick-up Found in Florida**

2 60. On February 1, 2023, at approximately 8:52 a.m., Gorelik contacted me by
3 telephone and stated that at approximately 7:30 a.m., one of Gorelik's customers, M.G.,
4 who is based out of Florida informed him he had received an offer by both text message
5 and email from Bob Interian of Jomara Seafood, based out of Hialeah, Florida, to buy
6 crab. M.G. informed Gorelik that based on the description of the seafood and the pictures
7 that were sent to him by Interian, it appeared to be Arctic Seafood's crab. M.G. noted the
8 prices that Interian offered were below market value.

9 61. Gorelik immediately suspected it was the crab stolen from Arctic Seafood
10 by Delgado (aka SUBIL) and others, who previously represented themselves as Safeway
11 corporation. M.G. forwarded Gorelik pictures Interian had sent him, including pictures of
12 the box and a label. The label showed the lot number (Lot #: 42306-N) that was listed on
13 both the purchase order sent from Delgado (aka SUBIL) to Arctic Seafoods and the
14 invoice that Arctic Seafoods sent Delgado (aka SUBIL) on January 18, 2023. This lot
15 number was included in the first shipment that was taken by deception on January 18,
16 2023, from the North Star Cold Storage Facility in Stanwood, WA. Gorelik informed me
17 the description of many of the other products being sold by Interian match the products
18 that were also picked up from the Stanwood facility on January 18, 2023, and January 20,
19 2023. According to M.G., the product was being held at Neptune Cold Storage, located
20 at 7337 NW 37th Avenue in Miami, Florida.

21 62. On February 2, 2023, I contacted the owner of Interian to inform him the
22 products he was attempting to sell were stolen. Interian stated he was unaware the
23 products had been stolen and provided me with one of the invoices from Global Supply P
24 and P Inc., the company he purchased the stolen goods from. He further stated he
25 purchased the stolen goods from an individual named **David**.



63. Interian stated he was given a business card by “David.” This card had two phone numbers, 833-231-1955 and 786-403-3168 (TT2).



64. On February 3, 2023, Interian provided me with the receipt of wire transfer that Jomara Seafoods made to Global Supply P & P Inc. earlier that day. The wire transfer was made to the TD Bank account listed on the invoice above, ending in -5278,

1 in the amount of \$144,750.00. According to Interian, Jomara Seafoods made two orders
2 of crab from Global Supply P & P Inc. and made one wire transfer totaling \$144,750.00.

3 65. Global Supply P & P Inc, is an active Florida Company. The company's
4 registered agent is David SUBIL, and the registered address of the company is 6415 SW
5 42 Street Miami Florida, 33155. The Company was incorporated on September 15, 2020.
6 This company has a website, <https://www.globalsupplysystemsinc.com>. While the
7 number provided to contact the company on the website is 833-231-1955, INTERIAN
8 informed me that he and David communicate using **TT2**. Interian sent me a contact card
9 to my cell phone, which lists the contact's name as David Global Food and **TT2** as its
10 associated phone number. Interian said that he has spoken to David on **TT2** on several
11 occasions, most recently on February 16, 2023.

12 66. On February 16, 2023, a subpoena was sent to T-Mobile for subscriber
13 information for **TT2**. T-Mobile responded the subscriber was David SUBIL with an
14 associated address of 6801 SW 83rd Place, Miami, FL 33141. SUBIL has been the
15 subscriber of this phone number since August 9, 2021.

16 67. SUBIL is the registered agent of a second company, SURF & TURF 2
17 YOU CORP, incorporated on May 25, 2022. The registered address is 6415 SW 42 Street
18 Miami Florida, 33155. This company has a website, <https://surfandturftoyou.com>. The
19 number provided to contact the company on its website, 833-231-1955, is the same as
20 one of the numbers on the card given to Interian by David.

21 68. Based on a search of the Florida Department of Motor Vehicles, SUBIL has
22 an issued driver license (S-140-160-71-148-0) with two addresses listed. One being the
23 registered address of Global Supply P & P Inc at 6415 SW 42nd Street in Miami, FL and
24 the other being the address listed on the invoice above for wire transfers to Global Supply
25 P & P Inc. at 6801 SW 83rd Place in Miami, FL. The address found on the top of the
26 invoice for Global Supply P & P Inc. is 6800 Bird Road, PMB 462 in Miami, Florida. An
27 open-source check of this address reveals that it is a UPS store in Miami, Florida.
28

69. SUBIL has a long criminal history, including, but not limited to, Grand Theft of the 2nd Degree, Grand Theft 3rd Degree and Fraud-Swindle. An online search reveals that in two prior instances, he has purchased seafood and meat with counterfeit checks.

70. I obtained a recent mugshot of David SUBIL. He was arrested by the South Miami Police Department in October 2022 for DUI and Damage to Property or Person.



71. On Tuesday, February 7, 2023, Interian emailed still photographs from the surveillance cameras at Jomara Seafood in Miami, Florida. According to Interian, the photographs depict the individual that sold him the crab and who he referred to as "DAVID." Based on the investigation, I believe the man in the photographs is SUBIL.



G. Surveillance and GPS Tracking of Fourth Shipment

72. On February 8, 2023, at approximately 9:30 a.m., a dispatcher from NW Freight contacted North Star Cold Storage to confirm the pickup of the shipment. At approximately 11:30 a.m., a semi-truck with a black cab, bearing Washington license plate 94919RP, and white trailer, bearing Washington license plate 18986AG, approached the loading docks of North Star Cold Storage. I was able to see the cab had “NW Freight” on both sides of the truck’s doors. A North Star employee approached the truck and was able to confirm this vehicle was, in fact, there to pick up the target shipment. The target shipment included a box with a court authorized GPS tracking device. On February 1, 2023, U.S. Magistrate Judge Mary Alice Theiler issued a warrant authorizing the installation of a GPS tracking device in the target shipment. No. MJ23-049-1 (W.D. Wash. February 1, 2023). After the warrant was issued, on February 1, 2023, at approximately 1:50 p.m., I installed the tracking device in one of the boxes and put the box in the middle of pallet 3.

73. On February 8, 2023, at approximately 12:20 p.m., after the pallets were loaded onto the truck, it left the cold storage facility and began traveling eastbound on SR-532 toward Interstate 5. While traveling toward Interstate 5, I coordinated with WSP’s Commercial Vehicle Enforcement Division to inspect the truck and its occupants. Upon entering the ramp to merge onto Interstate 5 southbound, WSP Trooper Travis Snider initiated a vehicle stop on the truck. Trooper Snider informed me the driver of the truck was Oleksandr Avramyshyn and provided a photograph of his Oregon driver’s license. Trooper Snider asked the driver if there was anyone else in the vehicle and initially Avramyshyn denied until eventually Trooper Snider found out that an additional individual was in the sleeper area of the cab, who did not have any identification except a document on his phone with a picture; however, all of the writing was in a foreign language and the subject did not speak any English. The driver of the truck presented Trooper Snider with the bill of lading, registration, logbook, and information regarding their trip. Avramyshyn stated they were traveling to Portland and provided an address of

1 901 NW Eastwind Drive. Trooper Snider took photographs of the documentation and
2 provided them to me via text message and/or email. At approximately 1:15 p.m., Trooper
3 Snider released the vehicle, and it continued southbound on Interstate 5.

4 74. Based on a review of the GPS tracking device, at approximately 5:00 p.m.,
5 the truck arrived at the Northwest Freight warehouse in Troutdale, Oregon, where it
6 remained until February 9, 2023, and was then moved approximately five miles to another
7 warehouse, located at 17600 Northeast San Rafael Street in Portland, Oregon. On Friday,
8 February 17, 2023, the shipment moved to the area of Catalina Cold Transfer, located at
9 2927 NW 74th Avenue in Miami, FL.

10 75. On Saturday, February 18, 2023, the shipment moved to the area of Florida's
11 Best Services, located at 702 NW 6th Avenue in Fort Lauderdale, FL. Based on a Google
12 search, it appears the business provides construction services, as well as junk removal.

13 76. On February 18, 2023, at approximately 3:00 p.m. pacific time, HSI
14 Taskforce Agent Walter Duran went to the location of the tracker. Agent Duran noticed
15 multiple pallets of boxes dumped outside the business and sent me photos. Based on this,
16 I believe that SUBIL disposed of the shipment once he realized it did not contain the crab
17 he was attempting to steal by fraud. At approximately 5:00 p.m. pacific time, Agent
18 Duran was able to retrieve the tracking device I had placed. Agent Duran informed me he
19 believed with 70% certainty, he saw SUBIL in the area of the fourth shipment.

20 **H. Additional Communication with SUBIL**

21 77. On February 15, 2023, Delgado (aka SUBIL) contacted Gorelik via **TT1**
22 and informed him that they had opened the third shipment and determined the product
23 shipped was not king crab. As previously discussed with law enforcement, Gorelik
24 blamed the cold storage facility and determined that they would look into what happened.

25 78. On February 15, 2023, and February 16, 2023, Delgado (aka SUBIL), using
26 **TT1**, contacted Gorelik and discussed the third shipment and how they would handle the
27 situation. Gorelik informed Delgado (aka SUBIL) that it would be a process and the
28

1 product should not be sent back to the cold storage facility at this time, until a full
2 investigation can take place. These two calls were recorded.

3 79. On February 16, 2023, Interian informed me that David had contacted him
4 from **TT2** and wanted to sell him additional crab. Interian told David that he was no
5 longer interested in the product. It is believed that David is still trying to sell the stolen
6 merchandise acquired via the first two shipments of king crab from Arctic Seafoods.

7 80. On February 17, 2003, Delgado (aka SUBIL), contacted Gorelik, via **TT2**,
8 and informed him he had opened the fourth shipment and realized it was not crab. At the
9 behest of law enforcement, Gorelik explained he did not know what happened and they
10 would investigate what happened. This phone call was recorded.

11 **I. Flight Booked to Colombia and Arrest**

12 81. On Saturday, February 18, 2023, I was notified that SUBIL had booked a
13 one-way ticket from Miami International Airport (MIA) to Medellin, Colombia. The flight
14 booking notification was based on an exact match of name and date of birth. The American
15 Airlines flight (Flight # 1127) was scheduled to depart MIA at approximately 10:32 a.m.
16 eastern on Sunday, February 19, 2023. According to Customs and Border Protection
17 (CBP), the flight was booked on the morning of February 18, 2023, at approximately 8:48
18 a.m. Based on Passenger Name Record (PNR) data, which is collected at the time of
19 booking, SUBIL would be traveling alone. According to CBP records, SUBIL has no
20 international travel in at least the last five years. SUBIL has no known connection to
21 Columbia. Based on my experience and the recent activity in this case, I believe this travel
22 was booked to flee the country from potential prosecution.

23 **K. Arrest of David SUBIL in Florida**

24 82. On February 18, 2023, the Honorable David W. Christel reviewed and signed
25 a Complaint and Arrest Warrant for David SUBIL (see MJ23-074). SUBIL was
26 subsequently arrested on February 19, 2023, at the Miami Airport with several electronic
27 devices on his person and over \$11,000 cash. SUBIL had his initial appearance in Miami,
28 Florida on February 21, 2023. SUBIL'S counsel has advised the Assistant United States

1 Attorney Jocelyn Cooney that he will be challenging detention and transfer. A hearing date
2 is anticipated to be set for the week of February 27, 2023.

3 83. Gorelik has received no further calls from TT1 since February 18, 2023.

4 84. Interian has received no further calls from TT2 since February 16, 2023.

5 **KNOWLEDGE BASED ON TRAINING AND EXPERIENCE**

6 85. Based on my training and experience, I know each cellular device has one
7 or more unique identifiers embedded inside it. Depending on the cellular network and the
8 device, the embedded unique identifiers for a cellular device could take several different
9 forms, including an Electronic Serial Number (ESN), a Mobile Electronic Identity
10 Number (MEIN), a Mobile Identification Number (MIN), a Subscriber Identity Module
11 (SIM), a Mobile Subscriber Integrated Services Digital Network Number (MSISDN), an
12 International Mobile Subscriber Identifier (IMSI), or an International Mobile Equipment
13 Identity (IMEI). The unique identifiers -- as transmitted from a cellular device to a
14 cellular antenna or tower -- can be recorded by pen-traps and indicate the identity of the
15 cellular device making the communication without revealing the communication's
16 content.

17 86. Based on my training and experience, I know that when a cell phone
18 connects to a cellular antenna or tower, it reveals its embedded unique identifiers to the
19 cellular antenna or tower, and the cellular antenna or tower records those identifiers as a
20 matter of course. The unique identifiers -- as transmitted from a cell phone to a cellular
21 antenna or tower -- are like the telephone number of an incoming call. They can be
22 recorded by pen-trap devices and indicate the identity of the cell phone device making the
23 communication without revealing the communication's content. In addition, a list of
24 incoming and outgoing telephone numbers is generated when a cell phone is used to
25 make or receive calls, or to send or receive text messages (which may include
26 photographs, videos, and other data). These telephone numbers can be recorded by pen-
27 trap devices and then used to identify the parties to a communication without revealing
28 the communication's contents.

1 87. Based my training and experience, I know that a cell phone can also be
2 used to exchange text messages with email accounts. The email addresses associated with
3 those text messages can be recorded by pen-trap devices and then used to identify parties
4 to a communication without revealing the communication's contents.

5 88. Based on my training and experience, I know that cellular phones can
6 connect to the internet via a cellular network. When connecting through a cellular
7 network, internet communications sent and received by the cellular phone each contain
8 the same unique identifier that identifies cellular voice communications, such as an ESN,
9 MEIN, MIN, SIM, IMSI, MSISDN, or IMEI. Internet communications from a cellular
10 phone also contain the IP address associated with that cellular phone at the time of the
11 communication. Each of these unique identifiers can be used to identify parties to a
12 communication without revealing the communication's contents.

13 89. In my training and experience, I have learned that T-Mobile is a company
14 that provide cellular telephone access to the general public. I also know that certain
15 providers of cellular telephone service have technical capabilities that allow them to
16 collect and generate information about the locations of the cellular telephones to which
17 they provide service, including E-911 Phase II data (also known as GPS data or latitude-
18 longitude data) and cell-site data (also known as "tower/face information" or cell
19 tower/sector records). E-911 Phase II data provides relatively precise location
20 information about the cellular telephone itself, either via GPS tracking technology built
21 into the phone or by triangulating on the device's signal using data from several of the
22 provider's cell towers. Cell-site data identifies the cell towers (i.e., antenna towers
23 covering specific geographic areas) that received a radio signal from the cellular
24 telephone and, in some cases, the "sector" (i.e., faces of the towers) to which the
25 telephone connected. These towers are often a half-mile or more apart, even in urban
26 areas, and can be 10 or more miles apart in rural areas. Furthermore, the tower closest to
27 a wireless device does not necessarily serve every call made to or from that device.
28 Accordingly, cell-site data is typically less precise than E-911 Phase II data.

1 90. When using a cellular connection to receive or transmit data, a cellular
2 phone typically utilizes a cell tower to make telephone calls, send or receive text
3 messages, send or receive emails, surf the internet, carry out application-initiated data
4 transfers, among other things.

5 91. Based on my training and experience, I know that T-Mobile can collect
6 cell-site data about Target Telephones. Based on my training and experience, I know that
7 for each communication (including data connections) a cellular device makes, its wireless
8 service provider can typically determine: (1) the date and time of the communication; (2)
9 the telephone numbers involved, if any; (3) the cell tower to which the customer
10 connected at the beginning of the communication; (4) the cell tower to which the
11 customer connected at the end of the communication; and (5) the duration of the
12 communication. I also know that wireless providers such as T-Mobile typically collect
13 and retain cell-site data pertaining to cellular devices to which they provide service in
14 their normal course of business in order to use this information for various business-
15 related purposes.

16 92. Different service providers use different systems, applications, and reports
17 to collect or analyze cell site data. These systems, applications, and reports are referred to
18 by a variety of names including, but not limited to real-time tool or “RTT” (Verizon),
19 Periodic Location Updates or “PLU” (Verizon), per call measurement data or “PCMD”
20 (Sprint), Location Database of Record or “LOCDBOR” (AT&T), EVDO, ALULTE,
21 Timing Advance and True Call (T-Mobile/Sprint/US Cellular/GCI). RTT data, for
22 example, estimates the approximate distance of the cellular device from a cellular tower
23 based upon the speed with which signals travel between the device and the tower. This
24 information can be used to estimate an approximate location range that is more precise
25 than typical cell-site data.

26 93. Based on my training and experience, I know that wireless providers such
27 as T-Mobile typically collect and retain information about their subscribers in their
28 normal course of business. This information can include basic personal information about

1 the subscriber, such as name and address, and the method(s) of payment (such as credit
2 card account number) provided by the subscriber to pay for wireless communication
3 service. I also know that wireless providers such as T-Mobile typically collect and retain
4 information about their subscribers' use of the wireless service, such as records about
5 calls or other communications sent or received by a particular device and other
6 transactional records, in their normal course of business. In my training and experience,
7 this information may constitute evidence of the crimes under investigation because the
8 information can be used to identify the Target Telephone's user or users and may assist in
9 the identification of co-conspirators and/or victims.

10 94. Modern cell phones allow users to switch their telephone numbers, use
11 multiple telephone numbers on a single device, and transfer their telephone number to a
12 different cell phone. These changes can be made with the assistance of the wireless
13 provider or by taking actions such as changing the "SIM card" (short for "subscriber
14 identity module card") of a cellphone. To provide for any such changes made to the
15 Target Telephones, Attachment A1 specifies that the property to be searched includes: (i)
16 any instrument to which the listed target telephone number was assigned within the last
17 30 days, and that now has been assigned a changed telephone number, (ii) any changed
18 telephone number assigned to an instrument now bearing the same unique identifying
19 number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or
20 that was bearing the same unique identifying number as the telephone number listed
21 above, at any point within the last 30 days, (iii) any changed unique identifying number
22 subsequently assigned to the same telephone number, or (iv) any additional changed
23 telephone number and/or unique identifying number, whether the changes occur
24 consecutively or simultaneously, listed to the same subscriber and wireless telephone
25 account number as the telephone numbers listed above, within the period of disclosure
26 authorized by this warrant.
27
28

AUTHORIZATION REQUEST FOR TARGET TELEPHONES

95. Based on the facts set forth in this affidavit, there is probable cause to conclude that violations of 18 U.S.C. § 2314, Interstate Transport of Stolen Property have been committed by users of the target telephone(s) and others who are known and unknown. The requested information for the target telephone(s) will help law enforcement identify the locations and user(s) of the target telephones and identify other coconspirators and other people and places of evidentiary value. There is probable cause to believe that the use of the investigative technique described by the warrant will result in officers learning that identifying information.

96. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)

97. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrant to delay notice to the subscriber or user of the Target Telephone(s) until 90 days after the collection authorized by the warrant has been completed. There is reasonable cause to believe that providing immediate notification of the warrant may have an adverse result, as defined in 18 U.S.C. § 2705. Providing immediate notice to the subscriber or user of the Target Telephone(s) would seriously jeopardize the ongoing investigation, as such a disclosure would give that person an opportunity to destroy evidence, change patterns of behavior, notify confederates, and flee from prosecution. See 18 U.S.C. § 3103a(b)(1). As further specified in Attachment B, which is incorporated into the warrant, the proposed search warrant does not authorize the seizure of any tangible property. See 18 U.S.C. § 3103a(b)(2). Moreover, to the extent that the warrant authorizes the seizure of any wire or electronic communication (as defined in 18 U.S.C. § 2510) or any stored wire or electronic information, there is reasonable necessity for the seizure for the reasons set forth above. See 18 U.S.C. § 3103a(b)(2).

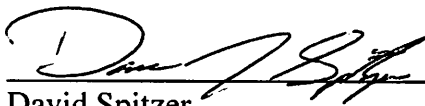
98. I further request that the Court direct T-Mobile to disclose to the government any information described in Attachment B that is within the possession,

1 custody, or control of T-Mobile. I also request that the Court direct T-Mobile to furnish
2 the government all information, facilities, and technical assistance necessary to
3 accomplish the collection of the information described in Attachment B unobtrusively
4 and with a minimum of interference with T-Mobile's services. The agency shall
5 reasonably compensate T-Mobile for reasonable expenses incurred in furnishing such
6 facilities or assistance.


7 99. Pursuant to 18 U.S.C. § 2703(g), the government will execute these
8 warrants by serving the warrants on T-Mobile. Because the warrants will be served on T-
9 Mobile, who will then compile the requested records and data, reasonable cause exists to
10 permit the execution of the requested warrant at any time in the day or night. I therefore
11 request that the Court authorize execution of the warrant at any time of day or night.

12 100. This warrant is being submitted via reliable electronic means. Fed. R. Crim.
13 P. 4.1 & 41(d)(3).

14
15
16 Respectfully submitted,

17
18 
19 _____
20 David Spitzer
21 Special Agent,
22 Homeland Security Investigations

23 The above-named agent provided a sworn statement to the truth of the foregoing
24 affidavit by telephone on this 28th day of February, 2023.

25 
26 _____
27 HON. MARY ALICE THEILER
28 United States Magistrate Judge

ATTACHMENT A-1**Property to Be Searched and Subscriber/Subject Information**

1. Records and information associated with the cellular phone assigned call number:

a. (208) 509-8598 (hereinafter “Target Telephone 1” or “**TT1**”). **TT1** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310240225402804, with subscriber “copy_1 1478424248,” at 1478424248, Boise, ID 83706, with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT1** is described herein and in Attachment A1, and the location information to be seized is described herein and in Attachment B.

The subscriber/customer of the Target Cell Phone is unknown. The identity of the person who is the subject of the criminal investigation is David SUBIL.

2. The Target Cell Phone **TT1**.

3. The property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

ATTACHMENT B

Particular Things to be Seized

This warrant is issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure and the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713. As such, this warrant authorizes the collection of subscriber records, cell site data, and cell site triangulation information regarding the Target Cell Phones. **This warrant does not authorize the disclosure or seizure of any tangible property or the content of any wire or electronic communication, as defined in 18 U.S.C. § 2510(8).** Accordingly, the Court finds reasonable necessity for the seizure of the data and records identified below. *See* 18 U.S.C. § 3103a(b)(2).

I. Section I: Information to be Disclosed by T-Mobile

1. **Subscriber/Account Information.** The following non-content information about the customers or subscribers associated with the Account listed in Attachment A1:

- a. Names (including subscriber names, user names, and screen names);
- b. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- c. Local and long distance telephone connection records from **December 27, 2022, through February 27, 2023;**
- d. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (IP) addresses) associated with those sessions from **December 27, 2022, through February 27, 2023;**
- e. Length of service (including start date) and types of service utilized;
- f. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (ESN), Mobile Electronic Identity Numbers (MEIN), Mobile Equipment Identifiers (MEID), Mobile Identification Numbers (MIN), Subscriber Identity Modules (SIM), Mobile Subscriber Integrated Services Digital Network Numbers (MSISDN), International Mobile Subscriber Identity Identifiers (IMSI), or International Mobile Equipment Identities (IMEI);

g. Other subscriber numbers or identities (including the registration Internet Protocol (IP) address); and

h. Means and source of payment for such service (including any credit card or bank account number) and billing records.

2. Historical Cell Site Location Information.

a. All records and other information (**not including the contents of communications**) relating to wire and electronic communications sent or received by the Account from **December 27, 2022, through February 27, 2023**, including:

i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses);

ii. historical cell site information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received. This information is to be provided irrespective of the application, name, or report utilized by T-Mobile. Accordingly, this information includes the following data sets to the extent that they are collected by T-Mobile: RTT, PLU, PCMD, LOCDBOR, EVDO, True Call, ALULTE, and Timing Advance.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone(s).

II. Section II: Information to Be Seized by the Government

1. All information described above in Section I that constitutes evidence of violations of 18 U.S.C. § 2314, Interstate Transport of Stolen Property involving Christopher DELGADO, Juan SANCHEZ, David SUBIL, and/or previously unidentified subject(s).

2. All non-content subscriber/account information provided pursuant to 18 U.S.C. § 2703(c).

3. All non-content dialing, routing, addressing, and signaling information provided pursuant to 18 U.S.C. §§ 3121-3127.

1 4. Location Information regarding the Target Cell Phone(s).

2 Law enforcement personnel (who may include, in addition to law enforcement
3 officers and agents, attorneys for the government, attorney support staff, agency personnel
4 assisting the government in this investigation, and outside technical experts under
5 government control) are authorized to review the records produced by T-Mobile in order
6 to locate the things particularly described in this Warrant.

ATTACHMENT A-2

Property to Be Searched and Subscriber/Subject Information

1. Records and information associated with the cellular phone assigned call number:

a. (786) 403-3168 (hereinafter “**Target Telephone 2**” or “**TT2**”). **TT2** is a cellular telephone with International Mobile Subscriber Identity (IMSI) 310260552952910, with subscriber “David SUBIL,” at 6801 SW 83rd Place, Miami, FL 33143 with service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, NJ 07054. **TT2** is described herein and in Attachment A2, and the location information to be seized is described herein and in Attachment B.

2. The Target Cell Phone TT2.

The property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

ATTACHMENT B

Particular Things to be Seized

This warrant is issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure and the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713. As such, this warrant authorizes the collection of subscriber records, cell site data, and cell site triangulation information regarding the Target Cell Phones. **This warrant does not authorize the disclosure or seizure of any tangible property or the content of any wire or electronic communication, as defined in 18 U.S.C. § 2510(8).** Accordingly, the Court finds reasonable necessity for the seizure of the data and records identified below. *See* 18 U.S.C. § 3103a(b)(2).

I. Section I: Information to be Disclosed by T-Mobile

1. **Subscriber/Account Information.** The following non-content information about the customers or subscribers associated with the Account listed in Attachment A1:

- a. Names (including subscriber names, user names, and screen names);
- b. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- c. Local and long distance telephone connection records from **December 27, 2022, through February 27, 2023;**
- d. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (IP) addresses) associated with those sessions from **December 27, 2022, through February 27, 2023;**
- e. Length of service (including start date) and types of service utilized;
- f. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (ESN), Mobile Electronic Identity Numbers (MEIN), Mobile Equipment Identifiers (MEID), Mobile Identification Numbers (MIN), Subscriber Identity Modules (SIM), Mobile Subscriber Integrated Services Digital Network Numbers (MSISDN), International Mobile Subscriber Identity Identifiers (IMSI), or International Mobile Equipment Identities (IMEI);

g. Other subscriber numbers or identities (including the registration Internet Protocol (IP) address); and

h. Means and source of payment for such service (including any credit card or bank account number) and billing records.

2. Historical Cell Site Location Information.

a. All records and other information (**not including the contents of communications**) relating to wire and electronic communications sent or received by the Account from **December 27, 2022, through February 27, 2023**, including:

i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses);

ii. historical cell site information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received. This information is to be provided irrespective of the application, name, or report utilized by T-Mobile. Accordingly, this information includes the following data sets to the extent that they are collected by T-Mobile: RTT, PLU, PCMD, LOCDBOR, EVDO, True Call, ALULTE, and Timing Advance.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone(s).

II. Section II: Information to Be Seized by the Government

1. All information described above in Section I that constitutes evidence of violations of 18 U.S.C. § 2314, Interstate Transport of Stolen Property involving Christopher DELGADO, Juan SANCHEZ, David SUBIL, and/or previously unidentified subject(s).

2. All non-content subscriber/account information provided pursuant to 18 U.S.C. § 2703(c).

3. All non-content dialing, routing, addressing, and signaling information provided pursuant to 18 U.S.C. §§ 3121-3127.

1 4. Location Information regarding the Target Cell Phone(s).

2 Law enforcement personnel (who may include, in addition to law enforcement
3 officers and agents, attorneys for the government, attorney support staff, agency personnel
4 assisting the government in this investigation, and outside technical experts under
5 government control) are authorized to review the records produced by T-Mobile in order
6 to locate the things particularly described in this Warrant.